

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN ROBERT DEMOS, JR.,

Petitioner,

v.

UNITED STATES OF AMERICA, *et al.*,

Respondents.

NO. C12-929-JCC-JPD

REPORT AND
RECOMMENDATION


Bar-order litigant John Demos has filed an application to proceed *in forma pauperis* with a proposed 28 U.S.C. § 2254 habeas petition to challenge his state-court conviction. (Dkts. 1, 1-1.) An Order of this Court provides for the return without filing of any petition by Mr. Demos that seeks an extraordinary writ pursuant to 28 U.S.C. §§ 1651, 2253 or 2254, unless accompanied by the filing fee. *See Demos v. Stanley*, MC97-0031-JLW (W.D. Wash. Mar. 13, 1997).

As petitioner has submitted no filing fee, the Court recommends that, pursuant to the Court's Order of March 13, 1997, the Clerk be **DIRECTED** to return petitioner's submissions without filing them, and to strike any pending motions as moot. Moreover, Mr. Demos may

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1 not proceed with a second or successive habeas petition here unless and until the Ninth Circuit
2 authorizes its filing. *See* 28 U.S.C. § 2244(b)(3)(A). A proposed Order is attached.

3 DATED this 25th day of July, 2012.

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5 JAMES P. DONOHUE
6 United States Magistrate Judge
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